

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

LAMONT OWENS,)
)
Plaintiff and)
Counter-Defendant,)
)
v.)
)
HOWARD HOWE,)
)
Defendant and)
Counter-Plaintiff.)

CASE NO.: 1:04-cv-152

ORDER

The Court, having reviewed the Motion to Dismiss Counterclaim without Prejudice by Defendant/Counter-Plaintiff Howe, and being duly advised in the premises, hereby GRANTS said Motion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Counterclaim brought by Defendant/Counter-Plaintiff Howe in this matter is dismissed without prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

ENTER JANUARY 28, 2005

S/Roger B. Cosbey
U.S. Magistrate Judge

Judge/Magistrate Judge
Northern District of Indiana
Fort Wayne Division